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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/813,509	03/20/2001	Richard Leeds	590044.403	3263
22504	7590	07/15/2004	EXAMINER	
DAVIS WRIGHT TREMAINE, LLP 2600 CENTURY SQUARE 1501 FOURTH AVENUE SEATTLE, WA 98101-1688			BILGRAMI, ASGHAR H	
			ART UNIT	PAPER NUMBER
			2143	

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/813,509

Applicant(s)

LEEDS, RICHARD

Examiner

Asghar Bilgrami

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-28 are rejected under 35 U.S.C. 102(b) based upon a public use or sale of the invention described by MacNaughton et al U.S. Patent No 6,020,884.

As per claims 1, 11, 16, 20 & 22 MacNaughton disclosed a method to provide adaptive forums within a single instance of a web browser application, the method comprising: sending an indication of a first uniform resource locator ("URL") from a client computer to a server computer across a network communicatively linking the client computer and the server computer (col.6, lines 13-34); collecting stored data from at least one of the client computer and the server computer; collecting personalized data about a user of the client computer; displaying a screen including one or more first forums on the client computer based on the first URL, the collected stored data, and the collected personalized data; and analyzing messages posted to the one or more first forums as displayed on the client computer to determine if one or more additional forums are to be concurrently displayed with the one or more first forums. (MacNaughton, col.8, lines 58-67, col.9, lines 1-16, 28-67, & col.10, lines 1-7).

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1. As per claims 2 & 19 MacNaughton disclosed the method claim 1, wherein the collecting personalized data further includes: sending queries from the server computer to the client computer during a key chat when the client computer initially connects to a forum controlled by the server computer; and storing responses to the queries in one or more storage devices communicatively linked to the server computer (MacNaughton, col.18, lines 18-66).

2. As per claim 3 MacNaughton disclosed the method of claim 1, further comprising communicatively linking selected ones of the one or more first forums and the one or more additional forums with other forums containing related message content based on the messages posted to the one or more first forums and the one or more additional forums (MacNaughton, col.9, lines 28-51).

3. As per claims 4 & 23 MacNaughton disclosed the method of claim 1, further comprising selectively responding to messages posted to one of the one or more first forums and the one or more additional forums by the client computer with messages stored in a database (MacNaughton, col.8, lines 58-67, col.9, lines 1-16, 28-67, & col.10, lines 1-7).

4. As per claim 5 MacNaughton disclosed the method of claim 1 wherein the first URL particularly identifies one of the one or more first forums (MacNaughton, col.6, lines 13-34).

5. As per claims 6 & 24 MacNaughton disclosed the method of claim 1 wherein the one or more first forums and the one or more additional forums are chat forums (MacNaughton, col.8, lines 58-67, col.9, lines 1-16, 28-67, & col.10, lines 1-7).

6. As per claims 7, 17 & 21 MacNaughton disclosed the method of claim 1 wherein the collected stored data includes information collected from previous forum connections and stored

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in a database on the server computer or a cookie on the client computer (MacNaughton, col.8, lines 26-64).

7. As per claims 8 & 25 MacNaughton disclosed the method of claim 1, further including posting a message to one of the one or more first forums and the one or more additional forums by inputting data into a pulldown menu without overwriting an entire image displayed in the web browser application (MacNaughton, col.9, lines 28-51 & col.18, lines 18-66)

8. As per claims 9 & 26 MacNaughton disclosed the method of claim 1, further displaying a selected one of the one or more first forums and the one or more additional forums according to a priority ranking (MacNaughton, col.4, lines 28-41).

9. As per claims 10 & 27 MacNaughton disclosed the method of claim 1, further including associating the client computer with a plurality of forums, to receive via e-mail, messages posted to the plurality of forums (MacNaughton, col.7, lines 37-56)

10. As per claim 12 MacNaughton disclosed the adaptive forums display of claim 11 wherein the second display portion is a navigator bar (MacNaughton, col.8, lines 10-25).

11. As per claim 13 MacNaughton disclosed the adaptive forums display of claim 11, further comprising one or more advertisement portions each for display of advertisements based at least in part on one or more of the messages posted to the communication forums in the first display portion and personal data of a user of the client computer (MacNaughton, col.3, lines 54-67, col.4, lines 1-2 & lines 28-41)

12. As per claim 14 MacNaughton disclosed the adaptive forums display of claim 11 wherein the sub-portions of the first display portion are configured to substantially equally share an area of the first portion (MacNaughton, col.8, lines 26-40).

13. As per claim 15 MacNaughton disclosed the adaptive forums display of claim 11 wherein a user of the client computer can select a maximum number of communication forums in the first display portion (MacNaughton, col.1, lines 24-41, col.4, lines 28-46).

14. As per claim 18 MacNaughton disclosed the server system of claim 16 wherein the screen images formulated by the presentation formulator have a plurality of adjustable settings that are retained between different communication sessions and based at least in part on the associated information of the users (MacNaughton, col.4, lines 4-15, col.7, lines 8-21 & col.23, lines 14-33).

15. As per claim 28 MacNaughton disclosed the method of claim 22, further including automatically formatting the one or more first forums and the one or more additional forums to substantially equally share an area on the screen of the client computer (MacNaughton, col.10, lines 18-32).

### ***Conclusion***

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Busey U.S. Patent No 5,764,916 disclosed method and apparatus for real time communication over a computer network.

Nachman U.S. Publication No US2001/0027474 A1 disclosed a method for clientless real time messaging between internet users, receipt of pushed content and transacting of secure e-commerce on the same web.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asghar Bilgrami whose telephone number is 703-305-4623. The examiner can normally be reached on M-F, 8:00-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 703-308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Asghar Bilgrami  
Examiner  
Art Unit 2143



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